



General Assembly

Amendment

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LCO No. 4522

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Offered by:

REP. CARUSO, 126th Dist.

To: Subst. House Bill No. 5063

File No. 277

Cal. No. 188

"AN ACT CONCERNING THE EXTENSION OR RENEWAL OF CERTAIN CONTRACTS BY THE CONNECTICUT RESOURCES RECOVERY AUTHORITY."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subdivision (11) of section 9-333x of the 2006 supplement
4 to the general statutes is repealed and the following is substituted in
5 lieu thereof (*Effective from passage*):

6 (11) Any department head or deputy department head of a state
7 department who solicits a contribution on behalf of, or for the benefit
8 of, any candidate for state, district or municipal office or any political
9 party. For the purposes of this subdivision, "department head" means
10 an employee who heads any department of the state and who has
11 substantial supervisory control of a permanent nature over other state
12 employees.

13 Sec. 502. Section 9-333x of the 2006 supplement to the general

14 statutes is amended by adding subdivision (14) as follows (*Effective*
15 *from passage*):

16 (NEW) (14) Any member of the Governor's staff or any employee of
17 the Joint Committee on Legislative Management who solicits a
18 contribution on behalf of, or for the benefit of, any candidate for state,
19 district or municipal office or any political party while on duty or
20 within any period of time during which such staff member or
21 employee is expected to perform services for which such staff member
22 or employee receives compensation from the state.

23 Sec. 503. (NEW) (*Effective July 1, 2006*) As used in this section and
24 section 504 of this act:

25 (1) "Crime related to state, municipal or quasi-public agency office"
26 means any of the following criminal offenses committed by a person
27 while serving as a public official, state employee or municipal
28 employee:

29 (A) The committing, aiding or abetting of an embezzlement of
30 public funds in the amount of one thousand dollars or more, in the
31 aggregate, from the state, a municipality or district, or a quasi-public
32 agency or agencies;

33 (B) The committing, aiding or abetting of any felonious theft from
34 the state, a municipality or district, or a quasi-public agency or
35 agencies;

36 (C) Bribery in connection with service as a public official, state
37 employee or municipal employee; or

38 (D) The committing of any felony by such person who, wilfully and
39 with the intent to defraud, realizes or obtains, or attempts to realize or
40 obtain, a profit, gain or advantage for himself or herself or for some
41 other person, in the amount of one thousand dollars or more, in the
42 aggregate, through the use or attempted use of the power, rights,
43 privileges or duties of his or her position as a public official.

44 (2) "Public official" has the same meaning as provided in section 1-
45 79 of the 2006 supplement to the general statutes.

46 (3) "Quasi-public agency" has the same meaning as provided in
47 section 1-79 of the 2006 supplement to the general statutes.

48 (4) "State employee" has the same meaning as provided in section 1-
49 79 of the 2006 supplement to the general statutes.

50 (5) "Municipal employee" means a person employed full or part-
51 time by a municipality or a district. "Municipal employee" does not
52 include a municipal official.

53 Sec. 504. (NEW) (*Effective July 1, 2006*) (a) Notwithstanding any
54 provision of the general statutes, if any person is convicted or pleads
55 guilty or nolo contendere to any crime related to state, municipal or
56 quasi-public agency office, the court, as part of the sentence imposed,
57 may reduce or revoke any retirement or other benefit or payment of
58 any kind to which the person is otherwise entitled under the general
59 statutes for service as a public official or state employee.

60 (b) In determining whether the retirement or other benefit or
61 payment shall be revoked or reduced, and the amount of any such
62 reduction, the court shall consider and make findings on the following
63 factors:

64 (1) The severity of the crime related to state, municipal or quasi-
65 public agency office for which the person has been convicted or to
66 which the person has pled guilty or nolo contendere;

67 (2) The amount of monetary loss suffered by the state, municipality
68 or district, or a quasi-public agency or by any other person as a result
69 of the crime related to state office;

70 (3) The degree of public trust reposed in the person by virtue of the
71 person's position as a public official, state employee or municipal
72 employee; and

73 (4) Any other factors as, in the judgment of the court, justice may
74 require.

75 (c) If the court determines that a retirement or other benefit or
76 payment of a person should be revoked or reduced and the state, a
77 quasi-public agency or municipality or district suffered a monetary
78 loss as a result of the crime related to state office, the entity responsible
79 for payment of such retirement or other benefit or payment shall remit
80 to the General Fund the portion of each such payment that would have
81 been made to the person but for the provisions of this section, until
82 there is full restitution to the state, municipality, quasi-public agency
83 or district of such monetary loss.

84 (d) If the court determines that a retirement or other benefit or
85 payment of a person should be revoked or reduced, the court may,
86 after taking into consideration the financial needs and resources of any
87 innocent spouse, dependents and designated beneficiaries of the
88 person, order that some or all of the revoked or reduced benefit or
89 payment be paid to any innocent spouse, dependent or beneficiary as
90 justice may require.

91 (e) If the court does not revoke or reduce any retirement or other
92 benefit or payment of any kind to which the person is otherwise
93 entitled under the general statutes for service as a public official or
94 state employee under subsection (a) of this section, the Attorney
95 General may initiate a civil action in the Superior Court for such
96 revocation or reduction. The provisions of subsections (b) to (d),
97 inclusive, of this section shall apply in any such civil action.

98 (f) The provisions of this section shall not affect any state health
99 insurance benefits to which the person and the spouse and dependents
100 of the person is entitled upon the person's retirement from the state.

101 Sec. 505. Section 4-61dd of the 2006 supplement to the general
102 statutes is repealed and the following is substituted in lieu thereof
103 (*Effective from passage*):

104 (a) Any person having knowledge of any matter involving
105 corruption, unethical practices, violation of state laws or regulations,
106 mismanagement, gross waste of funds, abuse of authority or danger to
107 the public safety occurring in any state department or agency or any
108 quasi-public agency, as defined in section 1-120, or any person having
109 knowledge of any matter involving corruption, violation of state or
110 federal laws or regulations, gross waste of funds, abuse of authority or
111 danger to the public safety occurring in any large state contract, may
112 transmit all facts and information in such person's possession
113 concerning such matter to the Auditors of Public Accounts. The
114 Auditors of Public Accounts shall review such matter and report their
115 findings and any recommendations to the Attorney General. Upon
116 receiving such a report, the Attorney General shall make such
117 investigation as the Attorney General deems proper regarding such
118 report and any other information that may be reasonably derived from
119 such report. Prior to conducting an investigation of any information
120 that may be reasonably derived from such report, the Attorney
121 General shall consult with the Auditors of Public Accounts concerning
122 the relationship of such additional information to the report that has
123 been issued pursuant to this subsection. Any such subsequent
124 investigation deemed appropriate by the Attorney General shall only
125 be conducted with the concurrence and assistance of the Auditors of
126 Public Accounts. At the request of the Attorney General or on their
127 own initiative, the auditors shall assist in the investigation. The
128 Attorney General shall have power to summon witnesses, require the
129 production of any necessary books, papers or other documents and
130 administer oaths to witnesses, where necessary, for the purpose of an
131 investigation pursuant to this section. Upon the conclusion of the
132 investigation, the Attorney General shall where necessary, report any
133 findings to the Governor, or in matters involving criminal activity, to
134 the Chief State's Attorney. In addition to the exempt records provision
135 of section 1-210, as amended, the Auditors of Public Accounts and the
136 Attorney General shall not, after receipt of any information from a
137 person under the provisions of this section, disclose the identity of
138 such person without such person's consent unless the Auditors of

139 Public Accounts or the Attorney General determines that such
140 disclosure is unavoidable, and may withhold records of such
141 investigation, during the pendency of the investigation.

142 (b) (1) No state officer or employee, as defined in section 4-141, no
143 quasi-public agency officer or employee, no officer or employee of a
144 large state contractor and no appointing authority shall take or
145 threaten to take any personnel action against any state or quasi-public
146 agency employee or any employee of a large state contractor in
147 retaliation for such employee's or contractor's disclosure of
148 information (A) to an employee of [(i)] the Auditors of Public Accounts
149 or the Attorney General under the provisions of subsection (a) of this
150 section; [(ii)] (B) to an employee of the state agency or quasi-public
151 agency where such state officer or employee is employed; [(iii)] (C) to
152 an employee of a state agency pursuant to a mandated reporter statute;
153 or [(iv)] (D) in the case of a large state contractor, to such large state
154 contractor or an employee of the contracting state agency concerning
155 information involving the large state contract.

156 (2) If a state or quasi-public agency employee or an employee of a
157 large state contractor alleges that a personnel action has been
158 threatened or taken in violation of subdivision (1) of this subsection the
159 employee may notify the Attorney General, who shall investigate
160 pursuant to subsection (a) of this section.

161 (3) (A) Not later than [thirty] ninety days after learning of the
162 specific incident giving rise to a claim that a personnel action has been
163 threatened or has occurred in violation of subdivision (1) of this
164 subsection, a state or quasi-public agency employee, an employee of a
165 large state contractor or the employee's attorney may file a complaint
166 concerning such personnel action with the Chief Human Rights
167 Referee designated under section 46a-57. The Chief Human Rights
168 Referee shall assign the complaint to a human rights referee appointed
169 under said section 46a-57, who shall conduct a hearing and issue a
170 decision concerning whether the officer or employee taking or
171 threatening to take the personnel action violated any provision of this

172 section. If the human rights referee finds such a violation, the referee
173 may award the aggrieved employee reinstatement to the employee's
174 former position, back pay and reestablishment of any employee
175 benefits to which the employee would otherwise have been eligible if
176 such violation had not occurred, reasonable attorneys' fees, and any
177 other damages. For the purposes of this subsection, such human rights
178 referee shall act as an independent hearing officer. The decision of a
179 human rights referee under this subsection may be appealed by any
180 person who was a party at such hearing, in accordance with the
181 provisions of section 4-183.

182 (B) The Chief Human Rights Referee shall adopt regulations, in
183 accordance with the provisions of chapter 54, establishing the
184 procedure for filing complaints and noticing and conducting hearings
185 under subparagraph (A) of this subdivision.

186 (4) As an alternative to the provisions of subdivisions (2) and (3) of
187 this subsection (A) a state or quasi-public agency employee who
188 alleges that a personnel action has been threatened or taken may file an
189 appeal not later than thirty days after learning of the specific incident
190 giving rise to such claim with the Employees' Review Board under
191 section 5-202, or, in the case of a state or quasi-public agency employee
192 covered by a collective bargaining contract, in accordance with the
193 procedure provided by such contract, or (B) an employee of a large
194 state contractor alleging that such action has been threatened or taken
195 may, after exhausting all available administrative remedies, bring a
196 civil action in accordance with the provisions of subsection (c) of
197 section 31-51m.

198 (5) In any proceeding under subdivision (2), (3) or (4) of this
199 subsection concerning a personnel action taken or threatened against
200 any state or quasi-public agency employee or any employee of a large
201 state contractor, which personnel action occurs not later than [one
202 year] three years after the employee first transmits facts and
203 information concerning a matter under subsection (a) of this section to
204 the Auditors of Public Accounts or the Attorney General, there shall be

205 a rebuttable presumption that the personnel action is in retaliation for
206 the action taken by the employee under subsection (a) of this section.

207 (6) If a state officer or employee, as defined in section 4-141, a quasi-
208 public agency officer or employee, an officer or employee of a large
209 state contractor or an appointing authority takes or threatens to take
210 any action to impede, fail to renew or cancel a contract between a state
211 agency and a large state contractor, or between a large state contractor
212 and its subcontractor, in retaliation for the disclosure of information
213 pursuant to subsection (a) of this section to any agency listed in
214 subdivision (1) of this subsection, such affected agency, contractor or
215 subcontractor may, not later than ninety days from learning of such
216 action, threat or failure to renew, bring a civil action in the superior
217 court for the judicial district of Hartford to recover damages, attorney's
218 fees and costs.

219 (c) Any employee of a state or quasi-public agency or large state
220 contractor, who is found to have knowingly and maliciously made
221 false charges under subsection (a) of this section, shall be subject to
222 disciplinary action by such employee's appointing authority up to and
223 including dismissal. In the case of a state or quasi-public agency
224 employee, such action shall be subject to appeal to the Employees'
225 Review Board in accordance with section 5-202, or in the case of state
226 or quasi-public agency employees included in collective bargaining
227 contracts, the procedure provided by such contracts.

228 (d) On or before September first, annually, the Auditors of Public
229 Accounts shall submit to the clerk of each house of the General
230 Assembly a report indicating the number of matters for which facts
231 and information were transmitted to the auditors pursuant to this
232 section during the preceding state fiscal year and the disposition of
233 each such matter.

234 (e) Each contract between a state or quasi-public agency and a large
235 state contractor shall provide that, if an officer, employee or
236 appointing authority of a large state contractor takes or threatens to

237 take any personnel action against any employee of the contractor in
238 retaliation for such employee's disclosure of information to any
239 employee of the contracting state or quasi-public agency or the
240 Auditors of Public Accounts or the Attorney General under the
241 provisions of subsection (a) of this section, the contractor shall be liable
242 for a civil penalty of not more than five thousand dollars for each
243 offense, up to a maximum of twenty per cent of the value of the
244 contract. Each violation shall be a separate and distinct offense and in
245 the case of a continuing violation each calendar day's continuance of
246 the violation shall be deemed to be a separate and distinct offense. The
247 executive head of the state or quasi-public agency may request the
248 Attorney General to bring a civil action in the superior court for the
249 judicial district of Hartford to seek imposition and recovery of such
250 civil penalty.

251 (f) Each large state contractor shall post a notice of the provisions of
252 this section relating to large state contractors in a conspicuous place
253 which is readily available for viewing by the employees of the
254 contractor.

255 (g) No person who, in good faith, discloses information to the
256 Auditors of Public Accounts or the Attorney General in accordance
257 with this section shall be liable for any civil damages resulting from
258 such good faith disclosure.

259 (h) As used in this section:

260 (1) "Large state contract" means a contract between an entity and a
261 state or quasi-public agency, having a value of five million dollars or
262 more; and

263 (2) "Large state contractor" means an entity that has entered into a
264 large state contract with a state or quasi-public agency.

265 Sec. 506. Subsection (k) of section 1-79 of the 2006 supplement to the
266 general statutes is repealed and the following is substituted in lieu
267 thereof (*Effective July 1, 2006*):

268 (k) "Public official" means any state-wide elected officer, any
269 member or member-elect of the General Assembly, any person
270 appointed to any office of the legislative, judicial or executive branch
271 of state government by the Governor or an appointee of the Governor,
272 with or without the advice and consent of the General Assembly, any
273 public member or representative of the teachers' unions or state
274 employees' unions appointed to the Investment Advisory Council
275 pursuant to subsection (a) of section 3-13b, any person appointed or
276 elected by the General Assembly or by any member of either house
277 thereof, [and] any member or director of a quasi-public agency and the
278 spouse of the Governor, but shall not include a member of an advisory
279 board, a judge of any court either elected or appointed or a senator or
280 representative in Congress.

281 Sec. 507. Section 1-83 of the 2006 supplement to the general statutes
282 is amended by adding subsection (e) as follows (*Effective July 1, 2006*):

283 (NEW) (e) On or before November first of each year, any public
284 official or state employee who is not required to file an annual
285 statement of financial interests pursuant to subsection (a) of this
286 section but who participates substantially in the contract award
287 process of any state agency shall file a statement disclosing the
288 following information: (1) Any outside employment of such official or
289 employee, (2) the employment of the official's or employee's spouse
290 and any dependent children residing in the household of the official or
291 the employee, and (3) the names of all businesses with which such
292 official, employee, spouse or dependent children residing in the
293 household of the official or employee are associated. Such statement
294 shall be filed on a form prescribed by the Office of State Ethics, under
295 penalty of false statement, with the executive head of the agency,
296 department, board or commission in which such official or employee is
297 employed.

298 Sec. 508. Section 1-84 of the 2006 supplement to the general statutes
299 is repealed and the following is substituted in lieu thereof (*Effective July*
300 *1, 2006*):

301 (a) No public official or state employee shall, while serving as such,
302 have any financial interest in, or engage in, any business, employment,
303 transaction or professional activity, which is in substantial conflict with
304 the proper discharge of his duties or employment in the public interest
305 and of his responsibilities as prescribed in the laws of this state, as
306 defined in section 1-85, as amended by this act.

307 (b) No public official or state employee shall accept other
308 employment which will either impair his independence of judgment as
309 to his official duties or employment or require him, or induce him, to
310 disclose confidential information acquired by him in the course of and
311 by reason of his official duties.

312 (c) No public official or state employee shall wilfully and knowingly
313 disclose, for financial gain, to any other person, confidential
314 information acquired by him in the course of and by reason of his
315 official duties or employment and no public official or state employee
316 shall use his public office or position or any confidential information
317 received through his holding such public office or position to obtain
318 financial gain for himself, his spouse, child, child's spouse, parent,
319 brother or sister or a business with which he is associated.

320 (d) No public official or state employee or employee of such public
321 official or state employee shall agree to accept, or be a member or
322 employee of a partnership, association, professional corporation or
323 sole proprietorship which partnership, association, professional
324 corporation or sole proprietorship agrees to accept any employment,
325 fee or other thing of value, or portion thereof, for appearing, agreeing
326 to appear, or taking any other action on behalf of another person
327 before the Department of Banking, the Claims Commissioner, the
328 Office of Health Care Access, the Insurance Department, the office
329 within the Department of Consumer Protection that carries out the
330 duties and responsibilities of sections 30-2 to 30-68m, inclusive, the
331 Department of Motor Vehicles, the State Insurance and Risk
332 Management Board, the Department of Environmental Protection, the
333 Department of Public Utility Control, the Connecticut Siting Council,

334 the Division of Special Revenue within the Department of Revenue
335 Services, the Gaming Policy Board within the Department of Revenue
336 Services or the Connecticut Real Estate Commission; provided this
337 shall not prohibit any such person from making inquiry for
338 information on behalf of another before any of said commissions or
339 commissioners if no fee or reward is given or promised in consequence
340 thereof. For the purpose of this subsection, partnerships, associations,
341 professional corporations or sole proprietorships refer only to such
342 partnerships, associations, professional corporations or sole
343 proprietorships which have been formed to carry on the business or
344 profession directly relating to the employment, appearing, agreeing to
345 appear or taking of action provided for in this subsection. Nothing in
346 this subsection shall prohibit any employment, appearing, agreeing to
347 appear or taking action before any municipal board, commission or
348 council. Nothing in this subsection shall be construed as applying (1)
349 to the actions of any teaching or research professional employee of a
350 public institution of higher education if such actions are not in
351 violation of any other provision of this chapter, (2) to the actions of any
352 other professional employee of a public institution of higher education
353 if such actions are not compensated and are not in violation of any
354 other provision of this chapter, (3) to any member of a board or
355 commission who receives no compensation other than per diem
356 payments or reimbursement for actual or necessary expenses, or both,
357 incurred in the performance of the member's duties, or (4) to any
358 member or director of a quasi-public agency. Notwithstanding the
359 provisions of this subsection to the contrary, a legislator, an officer of
360 the General Assembly or part-time legislative employee may be or
361 become a member or employee of a firm, partnership, association or
362 professional corporation which represents clients for compensation
363 before agencies listed in this subsection, provided the legislator, officer
364 of the General Assembly or part-time legislative employee shall take
365 no part in any matter involving the agency listed in this subsection and
366 shall not receive compensation from any such matter. Receipt of a
367 previously established salary, not based on the current or anticipated
368 business of the firm, partnership, association or professional

369 corporation involving the agencies listed in this subsection, shall be
370 permitted.

371 (e) No legislative commissioner or his partners, employees or
372 associates shall represent any person subject to the provisions of part II
373 concerning the promotion of or opposition to legislation before the
374 General Assembly, or accept any employment which includes an
375 agreement or understanding to influence, or which is inconsistent
376 with, the performance of his official duties.

377 (f) No person shall offer or give to a public official or state employee
378 or candidate for public office or his spouse, his parent, brother, sister
379 or child or spouse of such child or a business with which he is
380 associated, anything of value, including but not limited to, a gift, loan,
381 political contribution, reward or promise of future employment based
382 on any understanding that the vote, official action or judgment of the
383 public official, state employee or candidate for public office would be
384 or had been influenced thereby.

385 (g) No public official or state employee or candidate for public office
386 shall solicit or accept anything of value, including but not limited to, a
387 gift, loan, political contribution, reward or promise of future
388 employment, during the official's or employee's state service or such
389 candidacy and for one year after leaving state service or the
390 termination of such candidacy based on any understanding that the
391 vote, official action or judgment of the public official or state employee
392 or candidate for public office would be or had been influenced thereby.

393 (h) Nothing in subsection (f) or (g) of this section shall be construed
394 (1) to apply to any promise made in violation of subdivision (6) of
395 section 9-333x, as amended, or (2) to permit any activity otherwise
396 prohibited in section 53a-147 or 53a-148.

397 (i) No public official or state employee or member of the official or
398 employee's immediate family or a business with which he is associated
399 shall enter into any contract with the state, valued at one hundred
400 dollars or more, other than a contract of employment as a state

401 employee or pursuant to a court appointment, unless the contract has
402 been awarded through an open and public process, including prior
403 public offer and subsequent public disclosure of all proposals
404 considered and the contract awarded. In no event shall an executive
405 head of an agency, as defined in section 4-166, including a
406 commissioner of a department, or an executive head of a quasi-public
407 agency, as defined in section 1-79, as amended by this act, or the
408 executive head's immediate family or a business with which he is
409 associated enter into any contract with that agency or quasi-public
410 agency. Nothing in this subsection shall be construed as applying to
411 any public official who is appointed as a member of the executive
412 branch or as a member or director of a quasi-public agency and who
413 receives no compensation other than per diem payments or
414 reimbursement for actual or necessary expenses, or both, incurred in
415 the performance of the public official's duties unless such public
416 official has authority or control over the subject matter of the contract.
417 Any contract made in violation of this subsection shall be voidable by
418 a court of competent jurisdiction if the suit is commenced not later
419 than one hundred eighty days after the making of the contract.

420 (j) No public official, state employee or candidate for public office,
421 or a member of any such person's staff or immediate family shall
422 knowingly accept any gift, as defined in subsection (e) of section 1-79,
423 as amended, during the official's, employee's or staff member's state
424 service or such candidacy, or any such gift valued at one hundred
425 dollars or more for one year after leaving state service or the
426 termination of such candidacy, from a person known to be a registrant
427 or anyone known to be acting on behalf of a registrant.

428 (k) No public official or state employee shall accept a fee or
429 honorarium for an article, appearance or speech, or for participation at
430 an event, in the public official's or state employee's official capacity,
431 provided a public official or state employee may receive payment or
432 reimbursement for necessary expenses for any such activity in his
433 official capacity. If a public official or state employee receives such a
434 payment or reimbursement for lodging or out-of-state travel or both,

435 the official or employee shall, not later than thirty days thereafter, file a
436 report of the payment or reimbursement with the [commission] office,
437 unless the payment or reimbursement is provided by the federal
438 government or another state government. If a public official or state
439 employee does not file such report within such period, either
440 intentionally or due to gross negligence on the public official's or state
441 employee's part, the public official or state employee shall return the
442 payment or reimbursement. If any failure to file such report is not
443 intentional or due to gross negligence on the part of the public official
444 or state employee, the public official or state employee shall not be
445 subject to any penalty under this chapter. When a public official or
446 state employee attends an event in this state in the public official's or
447 state employee's official capacity and as a principal speaker at such
448 event and receives admission to or food or beverage at such event from
449 the sponsor of the event, such admission or food or beverage shall not
450 be considered a gift and no report shall be required from such official
451 or employee or from the sponsor of the event.

452 (l) No public official or state employee, or any person acting on
453 behalf of a public official or state employee, shall wilfully and
454 knowingly interfere with, influence, direct or solicit existing or new
455 lobbying contracts, agreements or business relationships for or on
456 behalf of any person.

457 (m) No public official or state employee or immediate family
458 member of such public official or state employee, shall knowingly
459 accept, directly or indirectly, any gift, as defined in subsection (e) of
460 section 1-79, as amended, during such official's or employee's state
461 service, or any such gift valued at one hundred dollars or more for one
462 year after such official or employee leaves state service from any
463 person the official or employee knows or has reason to know: (1) Is
464 doing business with or seeking to do business with the department or
465 agency in which the official or employee is employed; (2) is engaged in
466 activities which are directly regulated by such department or agency;
467 or (3) is prequalified under section 4a-100. No person shall knowingly
468 give, directly or indirectly, any gift or gifts in violation of this

469 provision. For the purposes of this subsection, the exclusion to the
470 term "gift" in subdivision (12) of subsection (e) of section 1-79, as
471 amended, for a gift for the celebration of a major life event and the
472 regulations adopted by the Citizen's Ethics Advisory Board pursuant
473 to subsection (a) of section 1-92 of the 2006 supplement to the general
474 statutes concerning such events shall not apply. Any person prohibited
475 from making a gift under this subsection shall report to the [State
476 Ethics Commission] Office of State Ethics any solicitation of a gift from
477 such person by a state employee or public official.

478 (n) (1) As used in this subsection, (A) "investment services" means
479 investment legal services, investment banking services, investment
480 advisory services, underwriting services, financial advisory services or
481 brokerage firm services, and (B) "principal of an investment services
482 firm" means (i) an individual who is a director of or has an ownership
483 interest in an investment services firm, except for an individual who
484 owns less than five per cent of the shares of an investment services
485 firm which is a publicly traded corporation, (ii) an individual who is
486 employed by an investment services firm as president, treasurer, or
487 executive or senior vice president, (iii) an employee of such an
488 investment services firm who has managerial or discretionary
489 responsibilities with respect to any investment services, (iv) the spouse
490 or dependent child of an individual described in this subparagraph, or
491 (v) a political committee established by or on behalf of an individual
492 described in this subparagraph.

493 (2) The State Treasurer shall not pay any compensation, expenses or
494 fees or issue any contract to any firm which provides investment
495 services when (A) a political committee, as defined in section 9-333a, as
496 amended, established by such firm, or (B) a principal of the investment
497 services firm has made a contribution, as defined in section 9-333b, as
498 amended, to, or solicited contributions on behalf of, any exploratory
499 committee or candidate committee, as defined in section 9-333a, as
500 amended, established by the State Treasurer as a candidate for
501 nomination or election to the office of State Treasurer. The State
502 Treasurer shall not pay any compensation, expenses or fees or issue

503 any contract to such firms or principals during the term of office as
504 State Treasurer, including, for an incumbent State Treasurer seeking
505 reelection, any remainder of the current term of office.

506 (o) If (1) any person (A) is doing business with or seeking to do
507 business with the department or agency in which a public official or
508 state employee is employed, or (B) is engaged in activities which are
509 directly regulated by such department or agency, and (2) such person
510 or a representative of said person gives to such public official or state
511 employee anything of value which is subject to the reporting
512 requirements pursuant to subsection (e) of section 1-96, as amended,
513 such person or representative shall, not later than ten days thereafter,
514 give such recipient and the executive head of the recipient's
515 department or agency a written report stating the name of the donor, a
516 description of the item or items given, the value of such items and the
517 cumulative value of all items given to such recipient during that
518 calendar year. The provisions of this subsection shall not apply to a
519 political contribution otherwise reported as required by law.

520 (p) (1) No public official or state employee or member of the
521 immediate family of a public official or state employee shall knowingly
522 accept, directly or indirectly, any gift costing one hundred dollars or
523 more from a public official or state employee who is under the
524 supervision of such public official or state employee.

525 (2) No public official or state employee or member of the immediate
526 family of a public official or state employee shall knowingly accept,
527 directly or indirectly, any gift costing one hundred dollars or more
528 from a public official or state employee who is a supervisor of such
529 public official or state employee.

530 (3) No public official or state employee shall knowingly give,
531 directly or indirectly, any gift in violation of subdivision (1) or (2) of
532 this subsection.

533 (q) No public official or state employee shall knowingly accept,
534 directly or indirectly, any goods or services provided to the state under

535 subdivision (5) of subsection (e) of section 1-79, as amended, by a
536 person prohibited from making gifts to public officials and state
537 employees under this section or section 1-97, as amended by this act.

538 (r) No public official or state employee shall counsel, authorize or
539 otherwise sanction action that violates any provision of this part.

540 (s) No public official or state employee shall knowingly contract for
541 goods or services, for personal use, with any person doing business
542 with or seeking to do business with the department or agency in which
543 the official or employee is employed unless the terms of such contract
544 are not distinct from the terms that would apply to a substantial
545 segment of the population.

546 (t) No public official or state employee shall accept any gift valued
547 at one hundred dollars or more that would not have been offered
548 except for the position held by such official or employee. No person
549 shall offer or give any such gift. The provisions of this subsection: (1)
550 Shall not prohibit a normal and customary exchange of gifts between a
551 public official or state employee and other persons if the practice of
552 such an exchange predated such official's or employee's service in such
553 position, and (2) shall apply to gifts that are not otherwise prohibited
554 under this chapter.

555 Sec. 509. Section 1-84b of the 2006 supplement to the general statutes
556 is repealed and the following is substituted in lieu thereof (*Effective July*
557 *1, 2006*):

558 (a) No former executive branch or quasi-public agency public
559 official or state employee shall represent anyone other than the state,
560 concerning any particular matter (1) in which he participated
561 personally and substantially while in state service, and (2) in which the
562 state has a substantial interest.

563 (b) No former executive branch or quasi-public agency public
564 official or former executive branch, legislative branch or quasi-public
565 agency state employee shall, for one year after leaving state service,

566 represent anyone, other than the state, for compensation before [the]
567 any department, agency, board, commission, council or office in which
568 he served [at] during the one-year period before the time of his
569 termination of service, concerning any matter in which the state has a
570 substantial interest. The provisions of this subsection shall not apply to
571 an attorney who is a former employee of the Division of Criminal
572 Justice, with respect to any representation in a matter under the
573 jurisdiction of a court.

574 (c) The provisions of this subsection apply to present or former
575 executive branch public officials or state employees who hold or
576 formerly held positions which involve significant decision-making or
577 supervisory responsibility and are designated as such by the Office of
578 State Ethics in consultation with the agency concerned except that such
579 provisions shall not apply to members or former members of the
580 boards or commissions who serve ex officio, who are required by
581 statute to represent the regulated industry or who are permitted by
582 statute to have a past or present affiliation with the regulated industry.
583 Designation of positions subject to the provisions of this subsection
584 shall be by regulations adopted by the Citizen's Ethics Advisory Board
585 in accordance with chapter 54. As used in this subsection, "agency"
586 means the Office of Health Care Access, the Connecticut Siting
587 Council, the Department of Banking, the Insurance Department, the
588 Department of Public Safety, the office within the Department of
589 Consumer Protection that carries out the duties and responsibilities of
590 sections 30-2 to 30-68m, inclusive, as amended, the Department of
591 Public Utility Control, including the Office of Consumer Counsel, the
592 Division of Special Revenue and the Gaming Policy Board and the
593 term "employment" means professional services or other services
594 rendered as an employee or as an independent contractor.

595 (1) No public official or state employee, in an executive branch
596 position designated by the Office of State Ethics shall negotiate for,
597 seek or accept employment with any business subject to regulation by
598 his agency.

599 (2) No former public official or state employee who held such a
600 position in the executive branch shall within one year after leaving an
601 agency, accept employment with a business subject to regulation by
602 that agency.

603 (3) No business shall employ a present or former public official or
604 state employee in violation of this subsection.

605 (d) The provisions of subsection (e) of this section apply to (1)
606 present or former Gaming Policy Board or Division of Special Revenue
607 public officials or state employees who hold or formerly held positions
608 which involve significant decision-making or supervisory
609 responsibility and are designated as such by the Office of State Ethics,
610 in consultation with the agency concerned, and (2) present or former
611 public officials or state employees of other agencies who hold or
612 formerly held positions which involve significant decision-making or
613 supervisory responsibility concerning the regulation or investigation
614 of (A) any business entity (i) engaged in Indian gaming operations in
615 the state, and (ii) in which a federally-recognized Indian tribe in the
616 state owns a controlling interest, or (B) a governmental agency of a
617 federally-recognized Indian tribe engaged in Indian gaming operations
618 in the state, which positions are designated as such by the Office of
619 State Ethics, in consultation with the agency concerned. Designation of
620 positions subject to the provisions of this subsection shall be by
621 regulations adopted by the Citizens' Ethics Advisory Board in
622 accordance with chapter 54. As used in subsection (e) of this section,
623 the term "employment" means professional services or other services
624 rendered as an employee or as an independent contractor.

625 (e) (1) No Gaming Policy Board or Division of Special Revenue
626 public official or state employee or other public official or state
627 employee described in subdivision (2) of subsection (d) of this section,
628 in a position designated by the Office of State Ethics, shall negotiate
629 for, seek or accept employment with (A) a business entity (i) engaged
630 in Indian gaming operations in the state, and (ii) in which a federally-
631 recognized Indian tribe in the state owns a controlling interest, or (B) a

632 governmental agency of a federally-recognized Indian tribe engaged in
633 Indian gaming operations in the state.

634 (2) No former Gaming Policy Board or Division of Special Revenue
635 public official or state employee or other former public official or state
636 employee described in subdivision (2) of subsection (d) of this section,
637 who held such a position shall, within two years after leaving such
638 agency, accept employment with (A) a business entity (i) engaged in
639 Indian gaming operations in the state, and (ii) in which a federally-
640 recognized Indian tribe in the state owns a controlling interest, or (B) a
641 governmental agency of a federally-recognized Indian tribe engaged in
642 Indian gaming operations in the state.

643 (f) (1) No former public official or state employee [(1)] (A) who
644 participated substantially in the negotiation or award of [(A)] (i) a state
645 contract valued at an amount of fifty thousand dollars or more, or [(B)]
646 (ii) a written agreement for the approval of a payroll deduction slot
647 described in section 3-123g, or [(2)] (B) who supervised the negotiation
648 or award of such a contract, [or] agreement or negotiation, shall accept
649 employment with a party to the contract or agreement other than the
650 state for a period of one year after [his] the public official's or state
651 employee's resignation from [his] state office or [position if his] state
652 employment if such resignation occurs less than one year after [the
653 contract or agreement is signed] the earlier of (i) the date the contract
654 or agreement is signed, or (ii) the date the official or employee ceases
655 to supervise or participate substantially in the negotiation or award of
656 the contract or agreement, as determined by regulations adopted by
657 the Citizen's Ethics Advisory Board in accordance with the provisions
658 of chapter 54.

659 (2) No party to the contract may employ a public official or state
660 employee if such employment would violate the provisions of
661 subdivision (1) of this subsection.

662 (g) (1) No member or director of a quasi-public agency who
663 participates substantially in the negotiation or award of a contract

664 valued at an amount of fifty thousand dollars or more, or who
665 supervised the negotiation or award of such a contract, shall seek,
666 accept, or hold employment with a party to the contract or negotiation
667 or derive any benefit from the contract for a period of one year after
668 the [signing of the contract] earlier of (A) the date the contract is
669 signed, or (B) the date the member or director ceases to participate
670 substantially in the negotiation or award of the contract, as determined
671 by regulations adopted by the Citizen's Ethics Advisory Board in
672 accordance with the provisions of chapter 54.

673 (2) No party to such contract may employ a member or director if
674 such employment would violate the provisions of subdivision (1) of
675 this subsection.

676 (h) The provisions of subsections (a), (b) and (f) of this section shall
677 not apply to any employee of a quasi-public agency who leaves such
678 agency before July 1, 1989.

679 (i) No Treasurer who authorizes, negotiates or renegotiates a
680 contract for investment services valued at an amount of fifty thousand
681 dollars or more shall negotiate for, seek or accept employment with a
682 party to the contract prior to one year after the end of the Treasurer's
683 term of office within which such contract for investment services was
684 authorized, negotiated or renegotiated by such Treasurer.

685 (j) No former executive, judicial or legislative branch or quasi-public
686 agency official or state employee convicted of any felony involving
687 corrupt practices, abuse of office or breach of the public trust shall seek
688 or accept employment as a lobbyist or act as a registrant pursuant to
689 this chapter.

690 (k) No former Governor shall seek or accept employment, including,
691 but not limited to, acting as a registrant pursuant to the provisions of
692 this chapter, for one year after leaving state service, on behalf of any
693 business that is subject to regulation by any department or agency of
694 the state or that does business or is seeking to do business with any
695 department or agency of the state. No business shall employ a former

696 governor in violation of this subsection.

697 Sec. 510. Section 1-85 of the general statutes is repealed and the
698 following is substituted in lieu thereof (*Effective July 1, 2006*):

699 A public official, including an elected state official, or state
700 employee has an interest which is in substantial conflict with the
701 proper discharge of his duties or employment in the public interest
702 and of his responsibilities as prescribed in the laws of this state, if he
703 has reason to believe or expect that he, his spouse, a dependent child,
704 his outside employer or a business with which he is associated will
705 derive a direct monetary gain or suffer a direct monetary loss, as the
706 case may be, by reason of his official activity. A public official,
707 including an elected state official, or state employee does not have an
708 interest which is in substantial conflict with the proper discharge of his
709 duties in the public interest and of his responsibilities as prescribed by
710 the laws of this state, if any benefit or detriment accrues to him, his
711 spouse, a dependent child, his outside employer or a business with
712 which he, his spouse or such dependent child is associated as a
713 member of a profession, occupation or group to no greater extent than
714 any other member of such profession, occupation or group. A public
715 official, including an elected state official or state employee who has a
716 substantial conflict may not take official action on the matter,
717 including, but not limited to, any official action during any session of
718 the General Assembly.

719 Sec. 511. Subsection (a) of section 1-97 of the general statutes is
720 repealed and the following is substituted in lieu thereof (*Effective July*
721 *1, 2006*):

722 (a) No registrant or anyone acting on behalf of a registrant shall
723 knowingly give a gift, as defined in subsection (g) of section 1-91, as
724 amended, to any state employee, public official, candidate for public
725 office or a member of any such person's staff or immediate family,
726 during the official's, employee's or staff member's state service or such
727 candidacy and for one year after (1) such official, employee or staff

728 member leaves state service, or (2) the termination of such candidacy.
729 For the purposes of this subsection, the exclusion to the term "gift" in
730 subdivision (12) of subsection (g) of section 1-91 of the 2006
731 supplement to the general statutes for a gift for the celebration of a
732 major life event, and regulations adopted by the Citizen's Ethics
733 Advisory Board pursuant to subsection (a) of section 1-92 of the 2006
734 supplement to the general statutes concerning such events, shall not
735 apply. Nothing in this section shall be construed to permit any activity
736 prohibited under section 53a-147 or 53a-148.

737 Sec. 512. Section 1-225 of the general statutes is repealed and the
738 following is substituted in lieu thereof (*Effective July 1, 2006*):

739 (a) The meetings of all public agencies, except executive sessions, as
740 defined in subdivision (6) of section 1-200, shall be open to the public.
741 The votes of each member of any such public agency upon any issue
742 before such public agency shall be reduced to writing and made
743 available for public inspection within forty-eight hours and shall also
744 be recorded in the minutes of the session at which taken. [which] Not
745 later than seven days after the session to which such minutes refer,
746 minutes shall be available for public inspection [within seven days of
747 the session to which they refer] and posted on the agency's web site, if
748 available.

749 (b) Each such public agency of the state shall file not later than
750 January thirty-first of each year in the office of the Secretary of the
751 State the schedule of the regular meetings of such public agency for the
752 ensuing year and shall post such schedule on the agency's web site , if
753 available, except that such [provision] requirements shall not apply to
754 the General Assembly, either house thereof or to any committee
755 thereof. Any other provision of the Freedom of Information Act
756 notwithstanding, the General Assembly at the commencement of each
757 regular session in the odd-numbered years, shall adopt, as part of its
758 joint rules, rules to provide notice to the public of its regular, special,
759 emergency or interim committee meetings. The chairperson or
760 secretary of any such public agency of any political subdivision of the

761 state shall file, not later than January thirty-first of each year, with the
762 clerk of such subdivision the schedule of regular meetings of such
763 public agency for the ensuing year, and no such meeting of any such
764 public agency shall be held sooner than thirty days after such schedule
765 has been filed. The chief executive officer of any multitown district or
766 agency shall file, not later than January thirty-first of each year, with
767 the clerk of each municipal member of such district or agency, the
768 schedule of regular meetings of such public agency for the ensuing
769 year, and no such meeting of any such public agency shall be held
770 sooner than thirty days after such schedule has been filed.

771 (c) The agenda of the regular meetings of every public agency,
772 except for the General Assembly, shall be available to the public [and
773 shall be filed,] and posted on the agency's web site, if available, not less
774 than twenty-four hours before the meetings to which such agenda
775 refer and filed not less than twenty-four hours before the meetings to
776 which they refer, in such agency's regular office or place of business or,
777 if there is no such office or place of business, in the office of the
778 Secretary of the State for any such public agency of the state, in the
779 office of the clerk of such subdivision for any public agency of a
780 political subdivision of the state or in the office of the clerk of each
781 municipal member of any multitown district or agency. Upon the
782 affirmative vote of two-thirds of the members of a public agency
783 present and voting, any subsequent business not included in such filed
784 agendas may be considered and acted upon at such meetings.

785 (d) Notice of each special meeting of every public agency, except for
786 the General Assembly, either house thereof or any committee thereof,
787 shall be posted on the agency's web site, if available, not less than
788 twenty-four hours before the meeting to which such notice refers and
789 given not less than twenty-four hours prior to the time of such meeting
790 by filing a notice of the time and place thereof in the office of the
791 Secretary of the State for any such public agency of the state, in the
792 office of the clerk of such subdivision for any public agency of a
793 political subdivision of the state and in the office of the clerk of each
794 municipal member for any multitown district or agency. The secretary

795 or clerk shall cause any notice received under this section to be posted
796 in his office. Such notice shall be given not less than twenty-four hours
797 prior to the time of the special meeting; provided, in case of
798 emergency, except for the General Assembly, either house thereof or
799 any committee thereof, any such special meeting may be held without
800 complying with the foregoing requirement for the filing of notice but a
801 copy of the minutes of every such emergency special meeting
802 adequately setting forth the nature of the emergency and the
803 proceedings occurring at such meeting shall be filed with the Secretary
804 of the State, the clerk of such political subdivision, or the clerk of each
805 municipal member of such multitown district or agency, as the case
806 may be, not later than seventy-two hours following the holding of such
807 meeting. The notice shall specify the time and place of the special
808 meeting and the business to be transacted. No other business shall be
809 considered at such meetings by such public agency. In addition, such
810 written notice shall be delivered to the usual place of abode of each
811 member of the public agency so that the same is received prior to such
812 special meeting. The requirement of delivery of such written notice
813 may be dispensed with as to any member who at or prior to the time
814 the meeting convenes files with the clerk or secretary of the public
815 agency a written waiver of delivery of such notice. Such waiver may be
816 given by telegram. The requirement of delivery of such written notice
817 may also be dispensed with as to any member who is actually present
818 at the meeting at the time it convenes. Nothing in this section shall be
819 construed to prohibit any agency from adopting more stringent notice
820 requirements.

821 (e) No member of the public shall be required, as a condition to
822 attendance at a meeting of any such body, to register the member's
823 name, or furnish other information, or complete a questionnaire or
824 otherwise fulfill any condition precedent to the member's attendance.

825 (f) A public agency may hold an executive session, as defined in
826 subdivision (6) of section 1-200, upon an affirmative vote of two-thirds
827 of the members of such body present and voting, taken at a public
828 meeting and stating the reasons for such executive session, as defined

829 in section 1-200.

830 (g) In determining the time within which or by when a notice,
831 agenda, record of votes or minutes of a special meeting or an
832 emergency special meeting are required to be filed under this section,
833 Saturdays, Sundays, legal holidays and any day on which the office of
834 the agency, the Secretary of the State or the clerk of the applicable
835 political subdivision or the clerk of each municipal member of any
836 multitown district or agency, as the case may be, is closed, shall be
837 excluded.

838 Sec. 513. Subsection (g) of section 22a-261 of the general statutes is
839 repealed and the following is substituted in lieu thereof (*Effective from*
840 *passage*):

841 (g) Six directors of the authority shall constitute a quorum for the
842 transaction of any business or the exercise of any power of the
843 authority, provided, two directors from municipal government shall be
844 present in order for a quorum to be in attendance. For the transaction
845 of any business or the exercise of any power of the authority, and
846 except as otherwise provided in this chapter, the authority shall have
847 power to act by a majority of the directors present at any meeting at
848 which a quorum is in attendance. If the legislative body of a
849 municipality that is the site of a facility passes a resolution requesting
850 the Governor to appoint a resident of such municipality to be an ad
851 hoc member, the Governor shall make such appointment upon the
852 next vacancy for the ad hoc members representing such facility. The
853 Governor shall appoint with the advice and consent of the General
854 Assembly ad hoc members to represent each facility operated by the
855 authority provided at least one-half of such members shall be chief
856 elected officials of municipalities, or their designees. Each such facility
857 shall be represented by two such members. The ad hoc members shall
858 be electors from a municipality or municipalities in the area to be
859 served by the facility and shall vote only on matters concerning such
860 facility. The terms of the ad hoc members shall be four years. Such ad
861 hoc members shall be allowed to attend any executive session of the

862 board of directors."